

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

ROSENTHAL et al.

Serial No.: 09/893,339

Filed: June 26, 2001

Confirmation No.: 1140

Atty. File No.: 42830-00236

For: "COMPOSITION FOR DELIVERY OF
HEMATOPOIETIC GROWTH FACTOR")

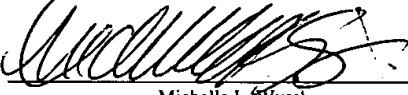
) Group Art Unit: 1647

) Examiner: DeBerry, Regina M.

) **REPLY TO OFFICE ACTION**
(37 C.F.R. § 1.111)

)
I HEREBY CERTIFY THAT this correspondence is being deposited
with the United States Postal Service as first-class mail in an envelope
addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450 on: December 4, 2003.

MARSH FISCHMANN & BREYFOGLE LLP

By: 

Michelle L. Wyss

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

This communication is responsive to an Office Action dated June 4, 2003. Based on the amendments and remarks presented below, reconsideration and further examination are requested.

Enclosed herewith is a Petition For Extension of Time Under 37 C.F.R. § 1.136(a) to extend the shortened statutory response date by 3 months, until December 4, 2003, and a check in the amount of \$475.00 for the fee for a three-month extension under 37 C.F.R. § 1.17(a), based on small entity status. Also enclosed is a check in the amount of \$279.00 for additional claim fees under 37 C.F.R. § 1.16(c).

No other fees are believed to be due with this communication. If, however, any other fees are due, please debit such fees to Deposit Account No. 50-1419. Credit any over payments to Deposit Account No. 50-1419. Should the filing of this communication require an additional extension of time under 37 C.F.R. § 1.136(a), such extension is requested and any deficiency in payment of extension fees should be debited to Deposit Account No. 50-1419.

AMENDMENT TRANSMISSION LETTER (Small Entity)

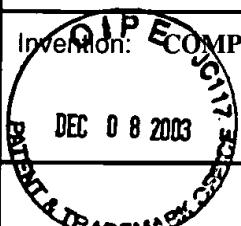
Applicant(s): ROSENTHAL et al.

Docket No.

42830-00236

Serial No.
09/893,339Filing Date
June 26, 2001Examiner
DeBerry, Regina M.Group Art Unit
1647

Invention: COMPOSITION FOR DELIVERY OF HEMATOPOIETIC GROWTH FACTOR



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TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

- Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.
- A verified statement to establish Small Entity status under 37 FR 1.27 is enclosed.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	83 -	52 =	31	x \$9.00	\$279.00
INDEP. CLAIMS	2 -	3 =	0	x \$43.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$279.00

- No additional fee is required for amendment.
- Please charge Deposit Account No. _____ in the amount of _____
- A check in the amount of \$279.00 to cover the filing fee is enclosed.
- The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1419
 - Any additional filing fees required under 37 C.F.R. 1.16.
 - Any patent application processing fees under 37 CFR 1.17.

Signature

Dated: December 4, 2003

Ross E. Breyfogle, Esq.

MARSH FISCHMANN & BREYFOGLE LLP
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Aurora, Colorado 80014
Atty. Reg. No.: 36,759
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CC:

I certify that this document and fee is being deposited on 12/04/2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Michelle L. Wyss

Typed or Printed Name of Person Mailing Correspondence